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Attorneys for Benjamin Cottman

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Appellant,

*vs.*

BENJAMIN COTTMAN,  
  
Appellee.

Case No. 2:18-CR-0129 JCM-DJA

**STIPULATION TO CONTINUE  
SENTENCING HEARING DATE  
AND ORDER**

COME NOW the parties, Benjamin Cottman, by and through his counsel, Lisa Rasmussen, and the United States, by and through its counsel, AUSA Allison Reese, and hereby stipulate that the sentencing hearing, presently scheduled for August 7, 2020 be continued to a date not sooner than 45 days from the presently scheduled sentencing date. The basis for this Stipulation is as follows:

1. Defense counsel has been trying to get documents from the Bureau of Prisons (from Mr. Cottman's former incarcerations) that are relevant to his sentencing process in this case. The Bureau of Prisons has refused to release the documents absent a court order or a subpoena, despite the numerous authorizations that have been provided by the undersigned and Mr. Cottman. Accordingly, defense counsel

1 needs to request the issuance of subpoenas pursuant to Rule 17 of the Federal Rules of  
2 Criminal Procedure.

3 2. Additionally, Mr. Cottman and his counsel prefer to have an in person  
4 sentencing hearing and are hopeful that this court can accomplish in person  
5 sentencing hearings in the next couple of months.

6 3. Mr. Cottman is in custody and agrees to this Stipulation.

7 4. Mr. Cottman faces a substantial amount of time in custody and this  
8 extension of time to prepare for his sentencing hearing does not prejudice him  
9 whereas to deny this request would be prejudicial.

10 5. The government is not opposed to this request.

11 6. This is the second request to continue the sentencing hearing.

12 7. This request is not made for the purpose of delay.

13 8. Counsel will file any objections or other sentencing memoranda as  
14 proscribed by the local rules in accordance with the newly generated sentencing date.

15 DATED: August 3, 2020.

Respectfully submitted,

16 **THE LAW OFFICES OF KRISTINA**  
17 **WILDEVELD & ASSOCIATES,**

18  
19 /s/ Lisa A. Rasmussen

20 Lisa A. Rasmussen, Esq.

Nevada Bar No. 7491

21 Attorneys for Benjamin Cottman

22  
23 **NICHOLAS TRUTANICH**  
24 **UNITED STATES ATTORNEY, DISTRICT OF NEVADA**

25 /s/ Allison Reese

26 By: AUSA Allison Reese

27 Counsel for the United States

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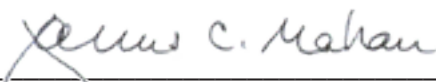
Case No. 2:18-CR-0129 JCM-DJA

**ORDER**

Based upon the stipulation of the parties and good cause appearing,

IT IS HEREBY ORDERED that the sentencing hearing presently scheduled for August 7, 2020 shall be vacated and reset to the 2nd day of October, 2020 at 10:30 a.m.

Dated: August 5, 2020.

  
The Honorable James C. Mahan  
United States District Judge